

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ALFA CORPORATION,)
)
)
Plaintiff,)
)
)
v.) CIVIL ACTION NO. 2:06cv962-WKW
)
)
ALFA MORTGAGE INC.,)
)
)
Defendant.)

ORDER ON MOTION

On October 23, 2007, Corina Shelton, the sole shareholder and President of Defendant Alfa Mortgage Incorporated, moved the Court for permission to represent the corporation. Mot. Permission to Appear (Doc. #21). The motion states Defendant cannot afford an attorney. Id.

“It is beyond dispute that a non-attorney may not represent a corporation in federal court.” Lowery v. Hoffman, 188 F.R.D. 651, 653 (M. D. Ala. 1999); Nat’l Indep. Theatre Exhibitors, Inc. v. Buena Vista Distrib. Co., 748 F.2d 602, 609 (11th Cir. 1984) (“[C]orporations must always be represented by legal counsel.”) (holding the district court properly refused to allow a corporation’s shareholder to represent the corporation *pro se*), cert. denied, 471 U.S. 1056 (1985); Lutz v. Lavelle, 809 F. Supp. 323, 325 (M. D. Pa. 1991) (“It is a well established principle that while a layman may represent himself with respect to his individual claims, he is not entitled to act as an attorney for others in a federal court.”) (citing People ex rel. Snead v. Kirkland, 462 F. Supp. 914, 918 (E. D. Pa. 1978); 28 U.S.C.

§ 1654 (2000)). Title 28 U.S.C. § 1654 provides that “[i]n all courts of the United States parties may plead and conduct their own case personally or by counsel.” 28 U.S.C. § 1654. The “courts have uniformly held that . . . § 1654 . . . does not allow corporations, partnerships, or associations to appear in federal court otherwise than through a licensed attorney.” Rowland v. Cal. Men’s Colony, Unit II Men’s Advisory Council, 506 U.S. 194, 202 (1993); see also K.M.A., Inc. v. Gen. Motors Acceptance Corp., 652 F.2d 398, 399 (5th Cir. 1981); Sw. Express Co., Inc. v. Interstate Commerce Comm’n, 670 F.2d 53, 55 (5th Cir. 1982).

As the law clearly precludes Ms. Shelton, a non-attorney, shareholder from representing Alfa Mortgage Corporation *pro se* in this Court, Nat’l Indep. Theatre Exhibitors, Inc. v. Buena Vista Distrib. Co., 748 F.2d at 609, it is

ORDERED that the motion (Doc. #21) is DENIED.

DONE this 24th day of October, 2007.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE